

DISTRICT	OFF.	DOCKET NO. YR. NUMBER	OR	FILING DATE MO. DAY YR.	J	NATURE SUIT	DIV.	R	\$ DEMAND THOUSANDS	JUDGE	MAG.	COUNTY	JURY DEM.	DOCKET YR. NUMBER
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CAUSE: **PLAINTIFFS** | RAINES, Gerald L. | **DEFENDANTS**

(1) DeFRANCO, Ralph T.

(2) MARINO, Carmen

(3) PATTON, Timothy

**CAUSE**  
**(CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE**  
**IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)**  
 42 U.S.C. §1981, 1983, 1982, 1985(3), 1986 - Civil Rights.

Pro se No. 171-058 Lebanon Correctional Institution P. O. Box 56 Lebanon, Ohio 45036	<b>ATTORNEYS (390024299)</b> (1) Ralph T. DeFranco (216) 696-4600 730 Leader Bldg. E. 6th & Superior Ave. Cleveland, Ohio 44114 (390020311) (2) Jeffrey I. Sherwin (216) 443-7796 Steven J. Celebrezze (216) 443-7849 Asst Prosecuting Atty (390025321) Courts Tower, Justice Center 1200 Ontario St. Cleveland, Ohio 44113 (390022545) (3) Robert E. Kmiecik (216) 664-2893 Assistant Director of Law Room 106 - City Hall 601 Lakeside Ave. Cleveland, Ohio 44114
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Cuyahoga - #3

<input checked="" type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
	7-22-88			JS-5	7/31/88
				JS-6	

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UNITED STATES DISTRICT COURT DOCKET

DC-111 (Rev. 1/87)

C88-2003

PROCEEDINGS

DATE	NR.		
7/22/88	1	(3)	APPLICATION of pltf to proceed in forma pauperis. (3 p) (J)
7/22/88	2		DECLARATION of pltf in support of req to proceed in forma pauperis. (2 p) (J)
7/28/88	3	(1)	MARGINAL Ent Ord granting applic of pltf to proceed in forma pauperis. Aldrich, J. Issd. (1 p) (EOD 7/29/88)(J)
7/29/88	4		COMPLAINT. Summ, Complt issd to U.S.Marshall on 7/29/88. (15 p) (J)
8/15/88	5		ANSWER of deft Ralph T. DeFranco. c/m 8/15/88. (5 p) (JA)
8/16/88	6		SUMMONS Retn. Srv Ralph J. DeFranco by cert mail on 8/3/88; Carmen Mario srv by cert mail addressed to Cuy Co. Prosecutors Office on 8/3/88; Timothy Patton srv by cert mail addressed to Homicide Unit CPD on 8/3/88. Fees \$9.00. (3 p) (JA)
8/24/88	7	(19)	MOTION of pltf for leave to file an amd complt w/memo in supp. c/m 8/22/88. (3 p) (Amended Complt attached) (JA)
8/24/88	8		ANSWER of deft Carmen Marino. c/m 8/24/88. (5 p) (JA)
8/25/88	9		NOTICE of status call. Aldrich, J. Issd. (2 p) (EOD 8/25/88)(JAM)
8/25/88	10		ANSWER of deft Timothy Patton. JURY DEMAND. c/m 8/25/88. (6 p) (JA)
8/26/88	11		NOTICE that that status call at 4:30 p.m. on 9/22/88 has been cancelled. Issd. (1 p) (JA)
8/26/88	12		ORDER returning action to Clerk's Office for reassignment by random draw. Aldrich, J. (Reassigned to Judge Krenzler) Issd. (1 p)(EOD 8/26/88)(J)
8/29/88	13	(21)	MOTION of pltf for leave to file mot for appt of counsel. c/m 8/26/88. (1 p) (Mot for appt attached) (JA)
8/30/88	14		STANDARD ORDER re: Preparation for Tr-Revised & effec 8/1/87. Krenzler, J. issd: 8/30/88 (5lp) EOD: 8/30/88 (VD)
9/9/88	15		ANSWER of deft. Ralph T. DeFranco to amd complt. c/m 9/7/88 (3p) (VD)
9/21/88	16		LETTER of pltf re: status of case. (lp) (VD)
10/4/88	17		MOTION of pltf to tsfr facility. (4p) (VD)
11/4/88	18	(22)	MOTION of petr for lv to file notice of perjury and interference to the Court. cm 10/27/88 (8p) (VD)
11/15/88	19	(7)	MARGINAL entry order granting lv to file amd complt. Krenzler, J. issd: 11/15/88 (EOD: 11/15/88) (VD)
11/15/88	20		AMENDED complt. (VD)
11/30/88	21	(13)	MARGINAL entry order-Mot. overruled as moot for appt of counsel of pltf. Krenzler, J. Issd 11/30/88. EOD: 12/2/88. (1 p) pel
11/4/88	22	(18)	MARGINAL entry order-Mot. overruled as moot for leave to file notice of perj & interference to the court of pltf. Krenzler, J. Issd 11/30/88. EOD: 12/2/88. (1 p) pel
10/17/88	23	(24)	MOTION of pltf for leave to file mot for federal protection & emergency noti to court w/memo & affvt in supp. (5 p) pel
11/30/88	24	(23)	MARGINAL entry order- Mot overruled as moot of pltf for leave to file mot fo federal protection & emergency notice to the court. Issd 11/30/88. EOD: 11/30/88. (5 p) pel
11/30/88	25		MEMORANDUM of Opinion Re: <u>dism, sua sponte</u> , dismiss pltf's complt w/prej, purs to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief may be granted. Krenzler, J. Issd. 11/30/88. EOD: 12/2/88. (7 p) pel
11/30/88	26		ORDER of dismiss. Memo of Opinion Re: Dism, hereby dismiss pltf's complt, w/prej. Krenzler, J. Issd 11/30/88. EOD: 12/2/88. (1 p) pel
12/8/88	27		NOTICE of appeal by pltf, re: 12/5/88. (lp) (EOD 12/8/88) cas
12/28/88			ACKNOWLEDGMENT of recpt of transmission form in USCA. (Recd 12/12/88, Filed 12/19/88; USCA #88-4150) cas
12/28/88			TRANSCRIPT order form. (nn) cas
2/3/89			CERTIFIED orig pldg. mailed to USCA. cas

DC 111A  
(Rev. 1/75)

JUDGE KRENZLER

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT		1:88CV2663 DOCKET NO. _____ PAGE ____ OF ____ PAGES
RAINES, Gerald		DEFRANCO, Ralph et al		
DATE	NR.	PROCEEDINGS		
2/16/89		<b>ACKNOWLEDGMENT</b> of recpt of record in USCA. (Recd 2/6/89, Filed 2/7/89) c <b>TRUE</b> copy of ord from USCA that the judg of the USDC is vacated & the ca is remanded for further consideration. Green, Clerk. Filed in USCA 5/22/89. Before: Martin, boggs & Contie, circuit Judges. ISSUED AS MANDATE: 6/15/89; COSTS: None (Record Returned) (3 p) EOD 6/22/89 CAS		
6/22/89	28			
7/27/89	29	(30)	<b>MOTION</b> of pltf Raines for voluntary dismissal of complt. c/m 5/28/89, EOD 7/27/89 ee	
7/27/89	30	(29)	<b>MARGINAL Ent Ord</b> granting mot of pltf to disp complt. KRENZLER, J. Iss 7/27/89, EOD 7/28/89 ee	